

Message Text

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DEPT FOR NIH/FIC: DR. JOSEPH QUINN

E.O. 11652: N/A

TAGS: TBIO, SW

SUBJECT: HEW REQUEST FOR INFORMATION ON COMPENSATION TO SUBJECTS
INJURED THROUGH BIO-MEDICAL RESEARCH EXPERIMENTATION.

REF: STATE 170457

1. DR. MALCOLM TOTTIE, SWEDISH COMMITTEE ON INTERNATIONAL HEALTH RELATIONS, NATIONAL BOARD FOR HEALTH AND WELFARE, INFORMED REPORTING OFFICER THAT LITTLE OR NO SPECIFIC LEGISLATION EXISTS IN SWEDEN ON COMPENSATION TO SUBJECTS INJURED THROUGH BIOMEDICAL TESTS (EXPERIMENTATION). THERE IS, HOWEVER, A DAMAGES LAW (SKADESTANDSLAGEN) WHICH COVERS ALL KINDS OF INJURIES AND DAMAGES TO INDIVIDUALS WHATEVER THE CAUSE. DR. TOTTIE OFFERED THE FOLLOWING INFORMATION:

(A) THE NATIONAL BOARD OF HEALTH AND WELFARE REQUIRES THAT PATIENTS, WHO ARE TO BE TREATED WITH PHARMACEUTICALS, SHALL HAVE MEDICAL INSURANCE TO PROTECT THEM IN THE EVENT OF INJURY.

(B) THERE IS AN INSURANCE PROGRAM, OPERATED SINCE JANUARY 1, 1975 BY A CONSORTIUM OF INSURANCE COMPANIES, FOR PATIENTS (PATIENTFORSAKRING) WHO MAY BE INJURED, INCAPACITATED, DISEASED, OR WHO MAY DIE AS A RESULT OF MEDICAL, DENTAL, PREVENTATIVE MEDICAL, TESTING, VACCINATION, BLOOD TRANSFUSION, AND PHYSICAL OR OTHER FORMS OF THERAPY. THE PATIENT
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WHO MAY SUFFER INJURY OR DISEASE, MAY BRING HIS CASE TO HIS COUNTRY COUNCIL TO CLAIM DAMAGES. THE CASE IS REVIEWED BY THE COUNTY COUNCIL, THE INSURANCE CONSORTIUM, AND THE NATIONAL BOARD FOR HEALTH AND WELFARE. THE MAXIMUM CLAIM

THAT MAY BE AWARDED TO AN INDIVIDUAL IS 2 (TWO) MILLION SWEDISH CROWNS; THE MAXIMUM INSURANCE CLAIM PER ACCIDENT IS 20 MILLION SWEDISH CROWNS. THIS ASSUMES SOME THEORETICAL ACCIDENT WHERE 10 PEOPLE MAY BE KILLED BY SOME GROSS MEDICAL ERROR. THE TOTAL INSURANCE FUNDS AVAILABLE UNDER THE PATIENTS INSURANCE PROGRAM IS 60 MILLION SWEDISH CROWNS FOR THE YEAR.

(C) AS A RESULT OF THE MEDICAL PROBLEMS ENCOUNTERED WITH CONTRACEPTIVE PILLS, THE NATIONAL BOARD FOR HEALTH AND WELFARE ESTABLISHED A COMMITTEE TO STUDY PROBLEMS AND RESPONSIBILITIES RELATED TO THE ADMINISTRATION OF THESE DRUGS. A COMMITTEE REPORT IS EXPECTED IN THE SPRING OF 1976.

2. DR. TOTTIE EXPRESSED GREAT INTEREST IN HEW'S PROJECT AND HE WOULD BE INTERESTED IN THE RESULTS OF THE ANALYSIS, WHENEVER IT MAY BE AVAILABLE.

3. DOCUMENTS PERTAINING TO THIS SUBJECT AND OUR COMMENTS WILL BE FORWARDED BY AIRGRAM ON AUGUST 1, 1975
STRAUSZ-HUPE

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<< END OF DOCUMENT >>

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